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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
10/614,391	07/08/2003	Rodney E. Massie	110275.128 US1	1745
24395	7590 09/09/2005		EXAMINER	
WILMER CUTLER PICKERING HALE AND DORR LLP THE WILLARD OFFICE BUILDING			HUYNH, CHUCK	
	YLVANIA AVE, NW		ART UNIT	PAPER NUMBER
WASHINGTO	ON, DC 20004	2683		
			DATE MAIL ED: 00/09/2009	•

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)				
	10/614,391	MASSIE ET AL.				
Office Action Summary	Examiner	Art Unit				
	Chuck Huynh	2683				
The MAILING DATE of this communication app	L	orrespondence address				
Period for Reply	//0.05T TO TWO DE					
A SHORTENED STATUTORY PERIOD FOR REPLY WHICHEVER IS LONGER, FROM THE MAILING DA - Extensions of time may be available under the provisions of 37 CFR 1.13 after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period w - Failure to reply within the set or extended period for reply will, by statute, Any reply received by the Office later than three months after the mailing earned patent term adjustment. See 37 CFR 1.704(b).	ATE OF THIS COMMUNICATION 36(a). In no event, however, may a reply be tim rill apply and will expire SIX (6) MONTHS from cause the application to become ABANDONE	I. lely filed the mailing date of this communication. D (35 U.S.C. § 133).				
Status						
1) Responsive to communication(s) filed on <u>08 Ju</u>	ıly 2003.					
2a) This action is FINAL . 2b) This	This action is FINAL . 2b) This action is non-final.					
	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is					
closed in accordance with the practice under E	x parte Quayle, 1935 C.D. 11, 45	53 O.G. 213.				
Disposition of Claims						
4)⊠ Claim(s) <u>1-77</u> is/are pending in the application.						
4a) Of the above claim(s) is/are withdrawn from consideration.						
5) Claim(s) is/are allowed.						
6) Claim(s) is/are rejected.	,					
7) Claim(s) is/are objected to.	, la d'an an andrama at	·				
8)⊠ Claim(s) <u>1-77</u> are subject to restriction and/or €	election requirement.					
Application Papers						
9)☐ The specification is objected to by the Examine	r.					
10) ☐ The drawing(s) filed on is/are: a) ☐ acce	epted or b) objected to by the I	Examiner.				
Applicant may not request that any objection to the	drawing(s) be held in abeyance. See	e 37 CFR 1.85(a).				
Replacement drawing sheet(s) including the correct						
11)☐ The oath or declaration is objected to by the Ex	aminer. Note the attached Office	Action or form PTO-152.				
Priority under 35 U.S.C. § 119						
12) Acknowledgment is made of a claim for foreign	priority under 35 U.S.C. § 119(a))-(d) or (f).				
a) ☐ All b) ☐ Some * c) ☐ None of:						
1. Certified copies of the priority documents have been received.						
2. Certified copies of the priority documents have been received in Application No						
3. Copies of the certified copies of the prior		ed in this National Stage				
application from the International Bureau		٠				
* See the attached detailed Office action for a list	or the certified copies not receive	eu.				
Attachment(s)	, -	(DTO 440)				
 Notice of References Cited (PTO-892) Notice of Draftsperson's Patent Drawing Review (PTO-948) 	4) Interview Summary Paper No(s)/Mail Da	ate				
3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date	5) Notice of Informal P 6) Other:	atent Application (PTO-152)				

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DETAILED ACTION

Election/Restrictions

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-10, drawn to a system enabling a first device operatively communicable with at least a primary wireless network to transmit a device query to a wireless device communicating between primary and secondary network, comprising of a host, a switch and a routing switch, classified in class 455, subclass 428.
- II. Claims 11-30, drawn to a system operating communication to a wireless device communicable between primary and secondary network comprising a host, a switch and a web server, middleware server, an internal routing server, and other multiple servers, classified in class 719, subclass 311.
- III. Claims 31-77, drawn to a system operating communication between a wireless device and a primary network and at least a secondary network for profile retrieval for manipulation and addition of radio frequency header, classified in class 455, subclass 432.3.
- 2. Inventions I, II, and III are related as combination and subcombination.

 Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for

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patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the particulars of group II and III does not require for the system of group I. The subcombination has separate utility such as the usage of multiple servers such as a web server, middleware server and internal routing server, or a profile retrieval for manipulation and addition of radio frequency header.

- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. A telephone call was made to Irah Donner on 8/31/2005 to request an oral election to the above restriction requirement, but did not result in an election being made.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chuck Huynh whose telephone number is 571-272-7866. The examiner can normally be reached on M-F 8am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on 571-272-7872. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chuck Huynh

WILLIAM TROST
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600